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FACSIMILE

To:	Examiner Brian S. Szmal
Company:	Mail Stop Amendment
Fax:	571 273 8300
From:	Ruth Der, Paralegal
Telephone:	415 646 8029
Fax:	415 646.8035
Date:	January 22, 2009
Re:	Serial No. 10/650,027; Atty. Docket No. SENOP-00302
Pages: (including coversheet)	15
Message:	Attached are <i>Status Inquiry and Amendment And Response To Office Action Mailed 06/03/2008</i> .

Please confirm receipt of this facsimile.

NOTE: Original will not follow.

CONFIDENTIALITY NOTICE

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JAN 22 2009

PATENT

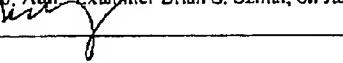
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.) Examiner: Brian S. Szmal
For: ELECTROSURGICAL BIOPSY DEVICE) Group Art Unit: 3736
AND METHOD) Customer No.: 061808
Serial No.: 10/650,027)
Filed: August 27, 2003)
Atty. Docket No.: SENOP-00302)

TRANSMITTAL

CERTIFICATE OF TRANSMISSION PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile (514) 273-8300 addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Examiner Brian S. Szmal, on January 22, 2009, in San Francisco, CA.

By: 

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Enclosed herewith for filing in the above-identified patent application are
 Status Inquiry; and
 Amendment And Response To Office Action Mailed 06/03/2008.
2. Fees due
 No additional claim fee is required.

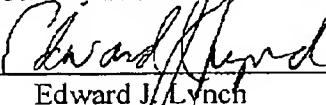
Additional Claim Fee Calculation

Description	Fee Code	Claims	Extra	Rate	Fee
Independent Claims	2201	4 -6=	0 x	\$110.=	\$0.
Total Claims	2202	28 -34=	0 x	\$26.=	\$0.

3. Payment of Fees

The Commissioner is authorized to charge the fees associated with this communication, the deficiency in payment and/or credit any overpayment of fees which may be required under 37 C.F.R. §§1.16 and 1.17 to Deposit Account No. 50-4358, referencing Atty. Docket No. SENOP-00302.

Respectfully submitted,

By: 

Edward J. Lynch

Registration No. 24,422
Attorney for Applicants

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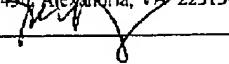
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.) Examiner: Brian S. Szmal
For: ELECTROSURGICAL BIOPSY DEVICE
AND METHOD) Group Art Unit: 3736
Serial No.: 10/650,027) Customer No.: 061808
Filed: August 27, 2003)
Atty. Docket No.: SENOP-00302)

STATUS INQUIRY**CERTIFICATE OF TRANSMISSION PURSUANT TO 37 CFR § 1.8**

I hereby certify that this correspondence is being transmitted by facsimile (571) 273-8300 and addressed to Attn: Examiner Brian S. Szmal, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, January 21, 2009 in San Francisco, CA.

By: 

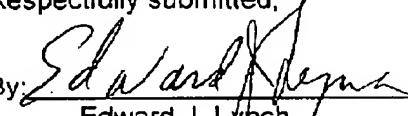
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby inquire into the status of the present application. There was an Office Action mailed June 3, 2008 from the Patent Office, and in response, applicants had a telephone conversation on August 26, 2008 with the Examiner in which applicants requested the Examiner to cancel claims 58-62 and pass the case to issue. The Examiner indicated that he would make the proposed amendment.

In the event that the present application has been deemed abandoned by the Patent Office, applicants herein request revival of the application for the unintentional delay in replying pursuant to 37 CFR §1.137(b) and entry of the concurrently filed amendment cancelling claims 58-62. The Commissioner is authorized to charge the fees associated with this communication, the deficiency in payment, and/or to credit any overpayment which may be required under 37 C.F.R. §1.16 and §1.17 to Deposit Account No. 50-4358, referencing Atty. Docket No. SENOP-00302.

Respectfully submitted,

By: 

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Attorney for Applicants

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